

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

U.S. ETHERNET INNOVATIONS, LLC,

No. C 10-3724 CW

Plaintiff,

ORDER VACATING
BRIEFING AND
HEARING SCHEDULE
ON APPLE'S MOTION
FOR LEAVE TO FILE
A THIRD AMENDED
COMPLAINT (Docket
No. 685)

v.

ACER, INC.; ACER AMERICA
CORPORATION; APPLE, INC.; ASUS
COMPUTER INTERNATIONAL; ASUSTEK
COMPUTER, INC.; DELL, INC.;
FUJITSU, LTD.; FUJITSU AMERICA,
INC.; GATEWAY, INC.; HEWLETT
PACKARD CO.; SONY CORPORATION;
SONY CORPORATION OF AMERICA; SONY
ELECTRONICS INC.; TOSHIBA
CORPORATION; TOSHIBA AMERICA,
INC.; and TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.,

Defendants.

INTEL CORPORATION; NVIDIA
CORPORATION; MARVELL
SEMICONDUCTOR, INC.; Atheros
COMMUNICATIONS, INC.; and
BROADCOM CORPORATION,

Intervenors.

On January 17, 2013, the Court issued an order, among other things, directing the non-stayed parties to file a joint case management statement setting forth their proposed schedules for future dates in the above-captioned case and its related cases. Docket No. 680. At that time, the Court stated, "Except in emergency situations, no additional motions shall be filed until a case management schedule has been adopted." Id. at 8.

On February 5, 2013, Defendant Apple, Inc. filed a motion for leave to file a third-party complaint against Oracle America, Inc.

1 Docket No. 685. Apple has not argued or shown that this motion
2 addresses an "emergency situation."

3 The Court has not yet adopted a case management order.
4 Accordingly, the current briefing and hearing schedule on Apple's
5 motion for leave is vacated and no opposition is due at this time.
6 The Court will reset the briefing schedule in the case management
7 order.

8 IT IS SO ORDERED.

9
10 Dated: 2/12/2013


CLAUDIA WILKEN
United States District Judge